

Nov. 19, 1989
[S. Con. Res. 84]

ENROLLMENT CORRECTIONS—H.R. 3660

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill (H.R. 3660) to amend the Rules of the House of Representatives and the Ethics in Government Act of 1978 to provide for government-wide ethics reform, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:

(1) In section 207(a)(2)(B) of title 18, United States Code (as contained in section 101(a) of the bill), strike out "with a period" and insert in lieu thereof "within a period".

(2) In section 207(b) of title 18, United States Code (as contained in section 101(a) of the bill)—

(A) in paragraph (1)—

(i) strike out "and who personally an substantially" and insert in lieu thereof "who personally and substantially"; and

(ii) strike out "the Freedom of Information Act, section 552 of title 5, United States Code," and insert in lieu thereof "section 552 of title 5"; and

(B) in paragraph (2)(B), strike out "requiring" and insert in lieu thereof "that requires".

(3) In section 207(c)(2)(C) of title 18, United States Code, strike out "at that basic rate of pay" and insert in lieu thereof "at the basic rate of pay specified in that subparagraph".

(4) In section 207(e) of title 18, United States Code (as contained in section 101(a) of the bill)—

(A) in paragraph (1)(A), strike out "officer or employee" and insert in lieu thereof "officer, or employee";

(B) in paragraph (1)(B)—

(i) strike out "officer or employee" and insert in lieu thereof "officer, or employee"; and

(ii) strike out "or employee of any other legislative branch" and insert in lieu thereof "and any employee of any other legislative"; and

(C) in paragraph (1)(C), strike out "officer or employee" and insert in lieu thereof "officer, or employee";

(D) in paragraph (2)(A), strike out "officer or employee" and insert in lieu thereof "officer, or employee";

(E) in paragraph (3), strike out "Member of Congress" and insert in lieu thereof "Member, officer, or employee of either House of Congress";

(F) in paragraph (4)—

(i) in subparagraph (A), strike out "officer or employee" and insert in lieu thereof "officer, or employee"; and

(ii) in subparagraph (B)(ii), strike out the comma after "leadership of the Senate".

(G) in paragraph (7)—

(i) in subparagraph (G), strike out "entity or office" and insert in lieu thereof "entity, or office"; and

(ii) in subparagraph (L), strike out "the chairman" and insert in lieu thereof "chairman".

(5) In section 207(i) of title 18, United States Code (as contained in section 101 of the bill)—

(A) in paragraph (1) insert a comma before "including";
(B) in paragraph (2), insert a comma after "investigation"; and

(C) in paragraph (3), insert "or" before "judicial".

(6) In section 207(j)(6) of title 18, United States Code (as contained in section 101(a) of the bill), strike out "the President,".

(7) In section 103(h)(1)(A)(ii)(II) of the Ethics in Government Act of 1978 (as contained in section 202 of the bill), strike out "Standards of Official Conduct Committee" and insert in lieu thereof "Committee on Standards of Official Conduct".

(8) In section 109(1) of the Ethics in Government Act of 1978 (as contained in section 202 of the bill), strike out "Standards of Official Conduct Committee" and insert in lieu thereof "Committee on Standards of Official Conduct".

(9) In section 109(6) of the Ethics in Government Act of 1978 (as contained in section 202 of the bill), strike out "section 503(4)" and insert in lieu thereof "section 505".

(10) In section 111(2) of the Ethics in Government Act of 1978 (as contained in section 202 of the bill), strike out "Standards of Official Conduct Committee" and insert in lieu thereof "Committee on Standards of Official Conduct".

(11) In section 203(b), insert after "House" each place it appears the following: "of Representatives".

(12) In the section heading of section 1352 of title 31, United States Code (as contained in section 302 of the bill), strike out "Travel acceptance authority" and insert in lieu thereof "Acceptance of travel and related expenses from non-Federal sources".

(13) In section 1352 of title 31, United States Code (as contained in section 302 of the bill), strike out subsection (d) and insert in lieu thereof the following:

"(d)(1) The head of each agency of the executive branch shall, in the manner provided in paragraph (2), submit to the Director of the Office of Government Ethics reports of payments of more than \$250 accepted under this section with respect to employees of the agency. The Director shall make such reports available for public inspection and copying.

"(2) The reports required by paragraph (1) shall, with respect to each payment—

"(A) specify the amount and method of payment, the name of the person making the payment, the name of the employee, the nature of the meeting or similar function, the time and place of travel, the nature of the expenses, and such other information as the Administrator of General Services may prescribe by regulation under subsection (a);

"(B) be submitted not later than May 31 of each year with respect to payments in the preceding period beginning on October 1 and ending on March 31; and

"(C) be submitted not later than November 30 of each year with respect to payments in the preceding period beginning on April 1 and ending on September 30."

(14) In section 302(a), strike out "Subchapter III of chapter 13 of subtitle 2" and insert in lieu thereof "IN GENERAL.—Subchapter III of chapter 13".

(15) In section 401, strike out the section heading and insert in lieu thereof the following:

"SEC. 401. AMENDMENT TO SECTION 202 OF TITLE 18, UNITED STATES CODE."

(16) In section 202(c) of title 18, United States Code (as contained in section 401 of the bill), insert a comma after "208" and insert a comma after "Congress".

(17) In section 202(d) of title 18, United States Code (as contained in section 401 of the bill), strike out "include" and insert in lieu thereof "include—".

(18) In section 202(e)(1) of title 18, United States Code (as contained in section 401 of the bill), strike out "United States Code,".

(19) In section 402, strike out the section heading and insert in lieu thereof the following:

"SEC. 402. AMENDMENTS TO SECTION 203 OF TITLE 18, UNITED STATES CODE."

(20) In section 402 of the bill, strike out "(8) redesignating" and all that follows through "paragraph (b)" and insert in lieu thereof the following:

"(8) in subsection (b)—

"(A) by redesignating such subsection as subsection (c); and

"(B) by striking 'subsection (a)' and inserting 'subsections (a) and (b)'; and

"(9) by inserting after subsection (a) the following:".

(21) In section 203(b)(1) of title 18, United States Code (as contained in section 402 of the bill)—

(A) insert "representational" before "services"; and

(B) insert a comma after "otherwise".

(22) At the end of the text inserted by paragraph (9) of section 402 of the bill, insert "; and" after the close quotation marks.

(23) In section 203(e) of title 18, United States Code (as contained in section 402 of the bill)—

(A) strike out "provided that" and insert in lieu thereof "if"; and

(B) strike out "shall certify" and insert in lieu thereof "certifies".

(24) In section 403, strike out the section heading and insert in lieu thereof the following:

"SEC. 403. AMENDMENT TO SECTION 204 OF TITLE 18, UNITED STATES CODE."

(25) In section 404, strike out the section heading and insert in lieu thereof the following:

"SEC. 404. AMENDMENT TO SECTION 205 OF TITLE 18, UNITED STATES CODE."

(26) In section 205(f) of title 18, United States Code (as contained in section 404 of the bill)—

(A) strike out "provided that" and insert in lieu thereof "if"; and

(B) strike out "shall certify" and insert in lieu thereof "certifies".

(27) In section 405, strike out the section heading and insert in lieu thereof the following:

"SEC. 405. AMENDMENTS TO SECTION 208 OF TITLE 18, UNITED STATES CODE."

(28) In section 405(2) of the bill, strike out "(2) in subsection (b)" and all that follows through the end of paragraph (4) of subsection (b) of section 208 of title 18, United States Code, as contained in section 405(2) of the bill, and insert in lieu thereof the following:

(2) by striking subsection (b) and inserting the following:
"(b) Subsection (a) shall not apply—

"(1) if the officer or employee first advises the Government official responsible for appointment to his or her position of the nature and circumstances of the judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter and makes full disclosure of the financial interest and receives in advance a written determination made by such official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from such officer or employee;

"(2) if, by regulation issued by the Director of the Office of Government Ethics, applicable to all or a portion of all officers and employees covered by this section, and published in the Federal Register, the financial interest has been exempted from the requirements of paragraph (1) as being too remote or too inconsequential to affect the integrity of the services of the Government officers or employees to which such regulation applies;

"(3) in the case of a special Government employee serving on an advisory committee within the meaning of the Federal Advisory Committee Act (including an individual being considered for an appointment to such a position), the official responsible for the employee's appointment, after review of the financial disclosure report filed by the individual pursuant to section 107 of the Ethics in Government Act of 1978, certifies in writing that the need for the individual's services outweighs the potential for a conflict of interest created by the financial interest involved; or

"(4) the financial interest that would be affected by the particular matter involved is that resulting solely from the interest of the officer or employee, or his or her spouse or minor child, in birthrights—

"(A) in a Indian tribe, band, nation, or other organized group or community, including any Alaska Native village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians,

"(B) in an Indian allotment the title to which is held in trust by the United States or which is inalienable by the allottee without the consent of the United States, or

"(C) in an Indian claims fund held in trust or administered by the United States,

if the particular matter does not involve the Indian allotment or claims fund or the Indian tribe, band, nation, organized group or community, Alaska Native village corporation as a specific party or parties.

(29) In section 406, strike out the section heading and insert in lieu thereof the following:

"SEC. 406. AMENDMENT TO SECTION 209 OF TITLE 18, UNITED STATES CODE."

(30) In section 407 of the bill, redesignate subsection (c) as subsection (b).

(31) In section 502(c), strike out "The" and insert in lieu thereof "EFFECTIVE DATE.—The".

(32) In section 503, insert after "by the Government." the following: "Such use with respect to vehicles owned or leased by, or the cost of which is reimbursed by, the House of Representatives or the Senate shall be only as prescribed by rule of the House of Representatives or the Senate, as applicable."

(33) Strike out section 507 and insert in lieu thereof the following:

"SEC. 507. SUSPENSION OF EFFECT OF CERTAIN PROVISIONS OF LAW.

"The following provisions of law shall have no force or effect during the period beginning on the day after the date of enactment of this Act and ending one year after such day:

"(1) Section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423).

"(2) Sections 2397a and 2397b of title 10, United States Code.

"(3) Section 281 of title 18, United States Code.

"(4) Sections 603 through 606, subsections (a) and (b) of section 607, and subsections (a) and (c) of section 608 of the Department of Energy Organization Act."

(34) In section 601, add at the end the following:

(b) CONFORMING AMENDMENTS.—

(1) Section 323 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441i) is amended—

(A) in subsection (a) by striking "No person while an elected or appointed officer or employee of the Federal Government" and by inserting "No person while a Senator or officer or employee of the Senate", and by striking "accept" the first time it appears; and

(B) in subsection (b) by striking "an elected or appointed officer or employee of any branch of the Federal Government" and by inserting "a Senator or any officer or employee of the Senate".

(2) Section 908(a)(3) of the Supplemental Appropriations Act, 1983 (2 U.S.C. 31-1(a)(3)) is amended to read as follows:

"(3) 'Member' means a Senator; and".

(35) In section 603, strike out "section 603" and insert in lieu thereof "section 703".

(36) In section 225(b)(1)(B) of the Federal Salary Act of 1967 (as contained in section 701 of the bill), strike out "President of the Senate;" and insert in lieu thereof the following: "President pro tempore of the Senate, upon the recommendation of the majority and minority leaders of the Senate;"

(37) In section 225(i)(2)(A) of the Federal Salary Act of 1967 (as contained in section 701 of the bill), insert after "entirety." the following: "This bill or joint resolution shall be passed by recorded vote to reflect the vote of each Member of Congress thereon."

(38) Strike out title X of the bill.

(39) Redesignate title XII of the bill as title X and redesignate section 1201 of the bill as section 1001.

(40) In section 802(d), strike out "section 407" and insert in lieu thereof "section 503".

(41) In clause 1(a)(1)(A) of rule XLVII of the Rules of the House of Representatives (as contained in section 804(a) of the bill), strike out "aggregate" and all that follows through "during" and insert in lieu thereof the following: "annual rate of basic pay for level II of the Executive Schedule under section 5313 of title 5, United States Code, as of January 1 of".

(42) In clause 1(a)(2) of rule XLVII of the Rules of the House of Representatives (as contained in section 804(a) of the bill), strike out "aggregate" and all that follows through "year." and insert in lieu thereof the following: "annual rate of basic pay for level II of the Executive Schedule under section 5313 of title 5, United States Code, as of January 1 of such calendar year multiplied by a fraction the numerator of which is the number of days such individual is a Member, officer or employee during such calendar year and the denominator of which is 365.".

(43) In section 804(f), strike out "section 303" and insert in lieu thereof "section 703".

(44) In section 1101 of the bill—

(1) insert "(a)" before "(1) Adjustments"; and

(2) add after subsection (b) the following new subsection:

"(c) Notwithstanding any other provision of this section, no adjustment in any rate of pay and section 908(b)(4)(A) of the Supplemental Appropriations Act, 1983, as added by subsection (b) of this section, shall become effective, as a result of the enactment of this section, before the first applicable pay period beginning on or after the date as of which the order issued by the President on October 16, 1989, pursuant to section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 is rescinded."

Agreed to November 19, 1989.

"WOMEN IN CONGRESS"—HOUSE PRINT

Nov. 20, 1989

[H. Con. Res. 167]

Resolved by the House of Representatives (the Senate concurring), That the book entitled "Women in Congress" (prepared by the Office for the Bicentennial of the House of Representatives) shall be printed as a House document, with illustrations and suitable binding. In addition to the usual number, 25,000 copies of the book shall be printed for the use of the Office for the Bicentennial of the House of Representatives.

Agreed to November 20, 1989.